

BERNARDO MARTINAJ v STATE OF NEW YORK

Motion No: CV-23-1011

Slip Opinion No: 2024 NY Slip Op 60893(U)

Decided on January 18, 2024

Appellate Division, Third Department, Motion Decision

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State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: January 18, 2024

CV-23-1011

BERNARDO MARTINAJ,
Appellant,
v

DECISION AND ORDER
ON MOTION

STATE OF NEW YORK,
Respondent.

(Claim No. 136323-A.)

Motions to vacate dismissal of appeal and for an extension of time to perfect appeal.

Motion for permission to proceed as a poor person.

Upon the papers filed in support of the motions and the papers filed in response to the motion for permission to proceed as a poor person, it is

ORDERED that the motions to vacate the dismissal of the appeal and for an extension of time to perfect the appeal are granted, without costs, the dismissal of the appeal is vacated (*see* 22 NYCRR 1250.10 [c]) and the time to perfect the appeal is extended to March 18, 2024, and it is further

ORDERED that the motion for permission to proceed as a poor person is granted, without costs, to the extent that the filing fees required by CPLR 8022 are waived.

Aarons, J.P., Pritzker, McShan and Mackey, JJ., concur.

ENTER:

Robert D. Mayberger
Clerk of the Court